IN THE UNITED STATES OF DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

CAPITOL RECORDS, INC., *et al.*,

Plaintiffs,

vs.

JAMMIE THOMAS-RASSET,

Defendant.

Case No.: 06cv1497-MJD/RLE

UNOPPOSED MOTION TO EXTEND BRIEFING DEADLINES

Plaintiffs respectfully submit this Unopposed Motion to Extend Briefing Deadlines and state as follows:

1. On June 19, 2009, the Court entered Judgment against Defendant. (Doc. No. 338)

2. The parties each filed post-trial motions on July 6, 2009. Plaintiffs filed a Motion to Amend Judgment (Doc. No. 342) and Defendant filed a Motion for a New Trial, Remittitur, and to Alter or Amend the Judgment (Doc. No. 344).

3. On July 8, 2009, the Court issued a Briefing Notice (Doc. No. 345), instructing that opposition briefs be filed by July 22, 2009 and replies by July 29, 2009.

4. Plaintiffs respectfully request an extension of the briefing schedule due to a conflict with another pending matter. Specifically, undersigned counsel for Plaintiffs is lead counsel for the plaintiff record companies in a case styled *Sony BMG Music Entertainment v. Tenenbaum*, Case No. 07-cv-11446-NG, pending in the United States District Court for the District of Massachusetts. The *Tenenbaum* case is set for a jury trial beginning on July 27, 2009 and is anticipated to last between one and two weeks. In addition to pretrial preparation, undersigned counsel is also presently involved in significant motions practice and ongoing discovery in the *Tenenbaum* case.

5. For these reasons, Plaintiffs respectfully submit that good cause exists for extending the briefing schedule in this case by 21 days, to August 12, 2009 for opposition briefs and August 19, 2009 for reply briefs. Plaintiffs have not previously sought an extension of this briefing schedule, and no party would be prejudiced were this Court to grant the requested extension.

6. Undersigned counsel for Plaintiffs has conferred with counsel for Defendant and counsel for the United States of America, which has entered an appearance in this case, regarding this motion. Defendant has no objection to the motion provided that the deadline for oppositions and replies be extended for all parties. The United States also does not oppose the motion and would like the same deadline as the parties in the event it decides to file an opposition.

WHEREFORE, Plaintiffs respectfully request that the Court extend the briefing schedule on post-trial motions by 21 days, and enter an order resetting the following deadlines: (1) opposition briefs due by August 12, 2009, and (2) reply briefs due by August 19, 2009.

A form of order is attached for the Court's convenience.

Respectfully submitted this 14th day of July 2009.

/s/ Timothy M. Reynolds
Timothy M. Reynolds (pro hac vice)
David A. Tonini (pro hac vice)
Andrew B. Mohraz (pro hac vice)
HOLME ROBERTS & OWEN LLP
1700 Lincoln, Suite 4100
Denver, Colorado 80203
Telephone: (303) 861-7000
Facsimile: (303) 866-0200

Matthew J. Oppenheim (pro hac vice)
THE OPPENHEIM GROUP
7304 River Falls Drive
Potomac, Maryland 20854
Telephone: (301) 299-4986
Facsimile: (866) 766-1678

Felicia J. Boyd (No. 186168)
Leita Walker (No. 387095)
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901
Telephone: (612) 766-7000
Facsimile: (612) 766-1600

ATTORNEYS FOR PLAINTIFFS